

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

MELVIN CHAPPELL, JR., and	:	CHAPTER 13
CHARLENE D. GRACE-CHAPPELL,	:	
	:	
Debtors.	:	BANKRUPTCY NO. 19-11245-mdc

STIPULATION

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition arrearage on the mortgage held by the Movant on the Debtors' residence is **\$12,004.33**, which breaks down as follows:

Post-Petition Payments:	October 2019 to February 2020 at \$911.72/month
	March 2020 to September 2020 at \$916.39/month
Fees & Costs Relating to Motion:	\$1,031.00
Total Post-Petition Arrears	\$12,004.33

2. The Debtors shall cure said arrearages in the following manner:
- a. Within seven (7) days of the filing of this Stipulation, Debtors shall file an Amended Chapter 13 Plan to include the post-petition arrears of **\$12,004.33**;
 - b. Movant shall file a Supplemental Proof of Claim to include the post-petition arrears of **\$12,004.33** along with the pre-petition arrears;
 - c. The new 410A form for a Proof of Claim shall not be required for this Supplemental Proof of Claim.

3. In the event that Debtors apply and Movant, or any successor in interest, shall approve a loan modification application submitted by the Debtors, and the parties enter into a loan modification agreement that provides for capitalization of arrears provided for in this

Stipulation and/or any other Proof of Claim filed by Movant in this case, Debtors may further amend their Chapter 13 Plan to deduct any such capitalized amounts from the amounts provided in Part 4(b) of the Debtors' Chapter 13 Plan, as amended in accordance with this Stipulation.

4. Beginning with the payment due October 1, 2020 and continuing thereafter, Debtors shall pay to Movant the present regular monthly mortgage payment of \$916.39 (or as adjusted pursuant to the terms of the mortgage) on or before the first (1st) day of each month (with late charges being assessed after the 15th of the month).

5. Should Debtors provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Movant shall adjust the account accordingly.

6. In the event the payments under Section 3 above are not tendered pursuant to the terms of this stipulation, Movant shall notify Debtors and Debtors' attorney of the default in writing and the Debtors may cure said default within FIFTEEN (15) days of the date of said notice. If Debtors should fail to cure the default within fifteen (15) days, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant immediate relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).

7. If the case is converted to Chapter 7, Movant shall file a Certification of Default with the Court and the Court shall enter an order granting Movant relief from the automatic stay.

8. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

9. The provisions of this stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts incurred after the date of Court approval of this

Stipulation that are not included in this Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

10. The parties agree that a facsimile signature shall be considered an original signature.

KML LAW GROUP, P.C., by:

Date: August 26, 2020

/s/ Rebecca A. Solarz

Rebecca A. Solarz
Attorney ID #315936
701 Market Street, Suite 5000
Philadelphia, PA 19106-1532
(215) 627-1322

Attorney for Movant - Nationstar Mortgage, LLC

REGIONAL BANKRUPTCY CENTER OF
SOUTHEASTERN PA, P.C., by:

Date: September 10, 2020



Roger V. Ashodian
Attorney ID #42586
101 West Chester Pike, Suite 1A
Havertown, PA 19083
(610) 446-6800

Attorney for Debtors

No objection: Without Prejudice to Any Trustee Rights or Remedies
William C. Miller, Chapter 13 Standing Trustee, by:

Date: September 22, 2020

/s/ LeeAne O. Huggins

LeeAne O. Huggins, Staff Attorney
Attorney ID #85144
1234 Market Street – Suite 1813
P.O. Box 1229
Philadelphia, PA 19105
(215) 627-1377

ORDER

Approved by the Court this _____ day of _____, 2020. However,
the Court retains discretion regarding entry of any further order.

BY THE COURT:

HONORABLE MAGDELINE D. COLEMAN
CHIEF U.S. BANKRUPTCY JUDGE